

**Reply Comments on ET Docket No. 05-24**  
DTV Tuner Requirements

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I submit these Reply Comments as a consumer interested in the successful and timely completion of the transition to the ATSC television standard.

• **50% requirement – 25"-36"**

I strongly support those commenters who urged the Commission to retain the requirement that 50% of mid-size televisions sold after July 1 have the ability to receive and display OTA digital broadcasts.

As more consumers become aware of the transition to digital television, demand for ATSC sets will grow. A reasonable selection of mid-size ATSC sets should in all cases be readily available to informed consumers who are predisposed to buying one.

A couple of years ago I looked for a digital set to replace the dying analog TV my parents used in their bedroom, but none was available. It was replaced with a 25" analog set. Today ATSC widescreen TVs of that size range are manufactured, but they are still not readily available at the most popular electronics stores. If they are not in the stores, most consumers will simply buy NTSC rather than continue searching internet or smaller suppliers.

Retaining the 50% requirement would go far to remedy this by encouraging retailers to stock and market a selection of mid-size ATSC televisions.

Dropping the existing 50% requirement would condone and ratify the existing retail resistance to the DTV transition.

Consumer education is still badly needed; an effective labeling requirement would strongly shift consumer demand from NTSC to ATSC sets. The more information consumers have about the transition to DTV, the more likely retailers will adopt an ATSC-friendly marketing strategy.

To wit: I visited an independent west coast TV retailer a couple of weeks ago. Most or all of the sets at this store were

widescreen HD, but the displayed programming source when I walked in was upconverted cable. I asked the store manager (the only other person there) if he could switch to high-def programming; he found DiscoveryHD.

I was looking at an ATSC set, and asked him about those. He began disparaging integrated ATSC sets, even going so far as to claim that the government would *never* shut off analog broadcasts. Toward the end of our discussion he admitted that most of his customers knew almost nothing about DTV.

Retaining the 50% requirement should be no technical burden on manufacturers; they have been preparing for it for years.

- **100% requirement – 25"-36"**

I strongly support those commenters who urged the Commission to make the 100% DTV tuner requirement for mid-size sets effective before the holiday/Superbowl TV buying season.

This suggestion was frequently offered as a means to mitigate the harm that would result if the FCC dropped the July 50% requirement. The commenters' arguments for advancing the 100% date to late-2005, however, are no less compelling if the July 50% requirement is retained.

Moving up the proposed 100% date to late-2005 will ensure that millions of ATSC sets will end up in Americans' homes in lieu of new NTSC sets. (The biggest bang in the shortest time.) The retained 50% requirement will ensure that mid-size ATSC sets will be more readily available to consumers TV-shopping between Independence Day and Thanksgiving. Both 50% and 100% implementation dates would greatly benefit consumers and the U.S. transition to the ATSC television standard.

If the 100% ATSC implementation date is moved up to late-2005, the retail industry's "problem" with selling ATSC sets in competition with NTSC sets would be resolved at least three months earlier than their proposed schedule. From the consumer's perspective, this certainly is a much better solution than the retail industry's proposed "solution"—eliminating mid-size ATSC sets from the marketplace during that period.

Manufacturers would have about five months after a quick FCC ruling (100% by late-2005, eg. November 15) to increase production of existing ATSC models (now planned at 50% of units by July 1) and to accelerate new ATSC models already in the pipeline. While the total number of ATSC units may not equal the combined number of NTSC / ATSC sets anticipated to be produced under the old regulatory mandate, it is certain that a substantially greater number of ATSC sets would be sold during the holiday season with an accelerated 100% requirement than with a 50%-only mandate.

I realize that those forward-looking manufacturers who are already well on their way to converting their product line to the ATSC standard will have an easier time with an accelerated 100% requirement. On the other hand, they might otherwise be competitively disadvantaged by a later 100% implementation (March 1). Manufacturers proactively supporting the transition should not be punished.

- **100% requirement – all sizes**

In my comments to the NPRM I suggested that the date for all size television sets to incorporate an ATSC tuner be December 31, 2006 (current nominal date for NTSC shut-off). As a number of commenters reminded us, the end-of-year TV-buying surge could move millions of new NTSC sets into unwary consumer homes just days before they go dark (assuming end-2006 shut-off).

I now believe the ATSC tuner requirement for all sets smaller than 25" should be effective no later than November 1, 2006.

Even if the NTSC shut-off is delayed for a year or more, the terrestrial ATSC broadcast infrastructure will have been fully built out months before November 1, 2006. An NTSC tuner at that point will be the human appendix.

- **NTSC tuners still in TV sets?**

I noticed that no commenters argued that integral NTSC tuners were superfluous. Certainly most consumers still have a VCR lying around that could be connected to a video monitor and used to tune in analog channels. So why continue to incorporate NTSC tuners in this age of cable and satellite?

Manufacturers *do* continue to install tens of millions of them. Many TV models have two of them; retailers market dual tuners as a valuable feature (PIP) demanding a higher purchase price.

The fact that virtually all television sets on the market today have integral analog tuners would seem to be an admission from the consumer electronics industry that people want tuners in their TVs, expect them, and find value in them.

As we close in on the end of the transition from the NTSC to the ATSC television standard, the American consumer has every right to expect that any new television he or she buys can be turned on and a picture will appear, not for a few months or a year, but for the life of the set.

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